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## FISCAL IMPACT REPORT



SPONSOR: Gubbels DATE TYPED: 1/30/02 HB 341

SHORT TITLE: Management of Used Oil SB \_\_\_\_\_

ANALYST: Valenzuela

### APPROPRIATION

| Appropriation Contained |      | Estimated Additional Impact |      | Recurring or Non-Rec | Fund Affected |
|-------------------------|------|-----------------------------|------|----------------------|---------------|
| FY02                    | FY03 | FY02                        | FY03 |                      |               |
|                         |      |                             | 0.1  | Recurring            | General Fund  |
|                         |      |                             |      |                      |               |

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Relates to Appropriation in The General Appropriation Act \_\_\_\_\_

### SOURCES OF INFORMATION

Legislative Finance Committee files  
Department of Environment

### SUMMARY

#### Synopsis of Bill

House Bill 341 amends the Hazardous Waste Act by including a definition of “used oil”, and by authorizing the Environmental Improvement Board (EIB) to adopt regulations concerning the management of used oil.

#### Significant Issues

The Department of Environment is the State of New Mexico agency that oversees the handling and disposal of hazardous waste in accordance with New Mexico’s Hazardous Waste Act. The U.S. Environmental Protection Agency (EPA) has delegated to the department the authority to regulate the industry pursuant to the federal Resource Conservation and Recovery Act of 1976, as amended.

Under existing law, used oil itself is not considered a hazardous waste. The problem is that used oil is often contaminated with hazardous waste solvents. The U.S. EPA regulations required states to have adopted state regulations equal to the federal rules. In 2001 legislative session, the Legislature

passed House Bill 701 that would have accomplished the goal, but this bill was never compiled into the state statutes because a subsequent bill amended the same statute, thus nullifying HB 701.

House Bill 341 seeks to accomplish the same goal of last year's legislation.

**FISCAL IMPLICATIONS**

Enactment of House Bill 341 would have a minor administrative and fiscal impact on the department and the Environmental Improvement Board, who would have to promulgate rules. These impacts, however, could be absorbed with the current budget and staff levels.

**MFV/njw**